

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

JOHN D. COLEMAN, Individually, and as)
Administrator and Personal Representative of the)
Estates of Ervin Coleman and Horace Coleman)
(Both Deceased))

And)

GARY W. COLEMAN, as Surviving Brother of)
Ervin Coleman (Deceased))

And)

JAYDEN COLEMAN, Surviving Grandson)
Of Horace Coleman (Deceased), By and Through)
his Next Friend And Natural Mother,)
TILACKIA JACKSON)

And)

Case No. 6:18-cv-03232-BP

ADRIONA COLEMAN, Surviving Granddaughter)
Of Horace Coleman (Deceased))

Plaintiffs,)

v.)

RIPLEY ENTERTAINMENT, INC.)
d/b/a "RIDE THE DUCKS", et. al.)

Defendants.)

PLAINTIFFS' FIRST NOTICE OF SETTLEMENT
AND REQUEST FOR SETTLEMENT CONFERENCE

COME NOW, the above-named Plaintiffs, by and through their attorneys of record and hereby notify the Court that Plaintiffs have settled the following claims and state:

1. Plaintiffs have entered a full and final settlement with the following defendants:

Ripley Entertainment, Inc. and Branson Duck Vehicles, LLC (collectively the "parties") for

all claims in Cause No. 6:18-cv-03232. The parties settled this matter on January 18, 2019 at mediation. The mediation included a binding determination of the apportionment of damages between the estates of Ervin Coleman and Horace Coleman.

3. The January 19, 2019 settlement includes the claims brought in this action by Plaintiff National Bank of Indianapolis, as the Temporary Guardian of the Estate of D.H., a minor.

4. This First Notice of Settlement and Request For Settlement Conference is without prejudice to Plaintiffs' rights in this cause against the remaining defendants not specified herein.

5. Further details of the foregoing settlement will be provided to the Court during a formal settlement conference. Plaintiffs hereby request a preferential setting for a settlement conference to approve the settlement between the parties cited herein.

Respectfully Submitted,

/s/Ernesto D. Sigmon
Ernesto D. Sigmon (Admitted *Pro Hac Vice*)
Texas Bar #24010397
Nuru Witherspoon
Missouri Bar Number #66812
The Witherspoon Law Group
1717 McKinney Ave., Suite 700
Dallas, Texas 75202
(214) 773-1133 PH
(972) 696-9982 FX

ATTORNEYS FOR PLAINTIFFS

Certificate of Service

I hereby certify that on the 7th day of March, 2019, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all attorneys of record.

/s/Ernesto D. Sigmon
Ernesto D. Sigmon